

**To the Chair and Members of the  
Cabinet**

**REVISION TO FOSTER CARE PROGRESSION SCHEME AND SPECIAL  
GUARDIANSHIP/CHILD ARRANGEMENT ORDER ALLOWANCES**

<b>Relevant Cabinet Member(s)</b>	<b>Wards Affected</b>	<b>Key Decision</b>
Councillor Fennelly	All	Yes

**EXECUTIVE SUMMARY**

1. The purpose of this report is to seek approval to implement revised Foster Carer Progression and Special Guardianship/Child Arrangement Order/Residence Order Allowances Schemes. The report also presents the updated Financial Assessment Criteria for Special Guardianship/Child Arrangement Order / Residence Order Allowances, together with the intended timeline for implementation.
2. The proposals have been subject to public consultation with foster carers and with carers who are in receipt of Special Guardianship, Child arrangement Order, and Residence Order allowances and this report present the findings and outcome of the consultation with the final, updated due regard statement taking into account anything arising from the consultation.

**EXEMPT REPORT**

- 3 No

**RECOMMENDATIONS**

- 4 To agree to amend foster carer allowances in line with the foster carer progression scheme paper and to allow Special Guardianship/Child Arrangement Order/ Residence Order (SGO/CAO/RO) payments to be made at level one, two and three dependent on the complexity of needs of the child (option 3), by:
  - i. implementing a revised Foster Carer Progression scheme;

- ii. implementing a revised Special Guardianship, Child Arrangement Order, Residence Order Allowances Scheme;
  - iii. adopting minor modifications to the current means test model to bring this in line with the DfE means test model; and
  - iv. noting adoption allowances remain linked to foster carer level 2. Consultation of adoption allowances and any proposal to amend the existing means test for adopters will be undertaken as part of the overall process to establish a South Yorkshire Adoption Agency.
  - v. Approving the final Due Regard Statement and implications outlined within it.
- 5 Furthermore, to agree:
- vi. Approach to implementation.

### **WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER?**

- 6 The proposal to develop a 3 tier foster carer progression scheme provides a means of linking Special Guardianship/Child Arrangement Order/ Residence Order(SGO/CAO/RO) payments to a range of foster carer payments:
- i. The foster carer progression scheme will support recruitment of carers with the skills necessary to care for children with the most complex needs.
  - ii. The allowance scheme for SGO/CAO/ROs will be aligned to local foster carer payments and thereby supports a more targeted approach to carer payments; reducing overall spend whilst ensuring those foster carers of children with complex needs who wish to care for the children in their long term care outside the care system are given the appropriate financial support to do so.
- 7 The consultation exercise has ensured that the proposed schemes and potential financial impact has been consulted upon and recipients have been given a full and transparent explanation of the basis on which their allowances would be calculated.

### **BACKGROUND**

- 8 There has been a significant growth, both nationally and locally, in the making of special guardianship orders in respect of children who would ordinarily have become “looked after children” or the subject of care orders. Special Guardianship Orders (SGOs) give most aspects of parental responsibility to the recipient of the order and place a responsibility on the local authority to assess for financial on-going support. Since their introduction in 2005 they have become a favoured permanence outcome for children and young people within the legal arena and are expected to continue to increase.

- 9 Child Arrangement Orders (CAOs) are orders which set out where a child should live. They also give the holder some aspects of parental responsibility although the extent of this is more limited than for holders of SGOs.
- 10 Residence Orders (ROs) are no longer granted by Courts, however a number of carers of children care for them under ROs previously granted. These orders give similar parental responsibility as those set out under a CAO.
- 11 In assessing financial support, SGO statutory guidance (2016) [para 63] direct local authorities to have regard to the amount of fostering allowance that would have been payable if the child was fostered.” Case law indicates that the amounts paid for CAOs and ROs should be managed in the same way. Doncaster Children’s Services Trust (DCST) currently pays an enhanced market rate supplement allowance to its foster carers. Previous consultation with foster carers found that they would like the allowance scheme to be revised and made more transparent.
- 12 Prior to April 2011 SGO, CAO and RO allowances had been calculated at two thirds of the existing fostering allowance rate. However, subsequent to this date financial support offered was reviewed and aligned with existing Fostering Allowances to reflect the national agenda at the time. This included a market supplement rate paid to all Doncaster foster carers due to the significant competition for such resources.
- 13 These payments were made subject to the DfE Standardised Means Test Model, although over time certain local practices developed which were not part of this model. As a result, this model has been reviewed by DCST and DMBC Revenues and Benefits so that it is once again more consistent with the Standardised Means Test Model for Adoption and Special Guardianship Financial Support promoted by the DfE and that adopted by other local authorities.
- 14 For information, the numbers of SGOs have increased from 43 at 31st March 2011 to 211 at 1<sup>st</sup> April 2016 and the number of CAOs has increased from 51 to 153.

The table below sets out the **current allowances schedule** for foster carers.

Age of Child	Payment - Fostering Network Rate used to calculate SGO/CAO/RO)	Payment after completion of TSDS per household	Additional weekly allowance per child	Payment - DCST enhancement rate	Payment after completion of TSDS per household	Additional weekly allowance per child
0 – 4	142.86	25.00	15.00	240.33	25.00	15.00
5 – 10	162.73	25.00	15.00	284.85	25.00	15.00
11 – 15	202.58	25.00	20.00	349.00	25.00	20.00
16 -17	246.44	25.00	25.00	417.08	25.00	25.00

Note - Only the Fostering Network Rate is used for SGO/CAO/RO.

- Training Support & Development Standards (TSDS)

- 15 The proposal is to develop a 3 tier foster carer progression scheme, which would provide a means of linking SGO/CAO/RO payments to a range of foster carer payments, reducing overall spend whilst targeting support to those most in need.

## **FOSTER CARER PROGRESSION SCHEME - PROPOSAL**

- 16 Since October 2014, the Doncaster Children's Services Trust (DCST) Fostering Service has been registered as an Independent Fostering Agency (IFA) and boarding out payments to foster carers continue to be made at Fostering Network recommended rates for Local Authority fostering schemes which are considerably less than those generally paid by IFA's.
- 17 Uplifting all foster carers payments would be both prohibitively expensive and unnecessary; however a progression scheme would allow the service to attract the most skilled foster carers who are able to meet the needs of children with more complex behaviours and needs
- 18 A foster carer's consultation in 2014 identified that many foster carers felt dissatisfied with the current system of foster carer payments and enhancements. DCST have therefore undertaken some work to clarify the payments system and help foster carers to plan more effectively.
- 19 Most local authorities already operate a progression scheme and we wish to explore the option for the following reasons:
- Rewards carer developing skills
  - Supports carer's financial planning
  - Rewards carers commitment to complex children
  - Rewards a commitment to Doncaster
  - Helps the service to recruit and keep the best foster carers

### **Progression scheme.**

- 20 We plan a three tier progression scheme, to keep the scheme simple, clear and fair. The detailed proposed rates are that:
- Level 1 foster carers will meet basic standards but will not have undertaken basic training. This level will be used primarily for foster carers approved in an emergency to care for a family member. Family foster carers or 'connected people' foster carers are fully entitled to progress to levels 2 and 3 just as any mainstream foster carer
  - Level 2 foster carers will meet fostering standards and have a commitment to on-going training. We expect that most foster carers will be level 2.
  - Level 3 foster carers will: meet enhanced standards; have a commitment to care for the most challenging children and offer support and guidance to other newer foster carers.

### Proposed Foster Carer Progression Scheme Allowances:

Age of Young Person	Level 1		Level 2			Level 3		
	National Minimum Fostering Allowance	Additional weekly allowance	Payment - Fostering Network Rate	Payment after completion of TSDS per household	Additional weekly allowance per child	Payment – DCST progression rate	Payment after completion of TSDS / household	Additional weekly allowance per child
0-4	126.00	15.00	142.86	25.00	15.00	240.33	25.00	15.00
5 - 10	139.00	15.00	162.73	25.00	15.00	284.85	25.00	15.00
11 - 15	159.00	20.00	202.58	25.00	20.00	349.00	25.00	20.00
16+	185.00	25.00	246.44	25.00	25.00	417.08	25.00	25.00

- 21 Proposed payments at level 2 and 3 are the equivalent of the current basic rate payments (level 2) and enhanced payments (level 3). Payments at level 1 are lower than those currently paid to our foster carers but are in line with the national minimum standard rate for Local Authorities outside the London area. This proposal does not raise the rate of payment for any foster carer but amends the conditions on which payments are made. As the portfolio requirements for payments at level 3 are more demanding than the current enhanced payments, the number of carers receiving level 3 (enhanced) payments will reduce slightly.

### SPECIAL GUARDIANSHIP/CHILD ARRANGEMENT / RESIDENCE ORDER ALLOWANCES - PROPOSAL

- 22 Outcomes for children are improved through securing a permanence placement outside the care system whereby direct carers can exercise parental responsibility and make appropriate decisions. Where children cannot safely return to their parents but maintain some sense of family contact or identity, a SGO/CAO is an appropriate means of securing their permanence within an appropriate alternative family. Typically this is either an extended family member; other connected person or their foster carer.

### Regulatory requirements

- 23 Special Guardianship allowances have been subject to review. The review identified the regulatory parameters for payment of allowances:
- Financial support must be offered to all carers of children on an SGO/CAO/RO where the child has been placed with the carers as a direct alternative to placement in the care of the Local Authority. Please note this is a regulatory requirement on the Local Authority although in practice in Doncaster the provision is managed through the Trust.
  - SGO/CAO/RO payments may be subject to financial assessment (means test) but financial payments for foster carers who subsequently take out an SGO/CAO are not subject to financial assessment for two years
  - Allowances must have regard to locally agreed foster care payments. Foster carers cannot receive child benefit or child family tax credit. Carers of children on an SGO/CAO/RO can and therefore payments must take child benefit and child tax credit into account and be reduced accordingly.

- Fostering services (England) Regulations 2011 clearly state that family members and other connected people caring for children on an SGO/CAO/RO must not be subject to discrimination and payments therefore must be made at the same rates as other carers, subject to meeting thresholds for progression allowances.

## Current Payments

- 24 Allowances are currently paid to all families in receipt of SGO/CAO/RO allowances at the DCST foster care rate, which is based on the Fostering Network Rate. This meets regulatory requirements. Where the plan for the child is permanence with an existing foster carer; SGO/CAO is the preferred option as this allows the carer to make most decisions in respect of the child and promotes a greater sense of family identity. Some foster carers who care for more complex children are unable to work and require a guarantee of enhanced financial support to ensure they are able to provide on-going care to meet the identified needs of the child. An enhanced package enables foster carers to make this commitment.

## OPTIONS CONSIDERED

- 25 Three possible options have been identified:-

1. Do nothing.

We are not required to make changes to the current system other than instigate an annual payment review process. However, payments under certain circumstances could be reduced without detriment to children and in some cases should be raised to encourage those foster carers who are caring for the most complex and challenging of children to apply for an SGO/CAO. This option brings no cost saving other than savings made through more stringent financial review (the means test).

2. Amend foster care allowances in line with the foster care progression scheme paper and make SGO/CAO/RO payments to carers who have not undertaken basic training at level one (the fostering national minimum rates).

As explained above most local authorities already operate a progression scheme and we wish to explore the option for the following reasons:

- Rewards carer developing skills
- Supports carer's financial planning
- Rewards carers commitment to complex children
- Rewards a commitment to Doncaster
- Helps the service to recruit and keep the best foster carers.

Currently the majority of SGO/CAO/RO payments are made to family members of children who would otherwise have come into care. The majority of family members have not undertaken basic training and do not therefore meet all fostering regulatory requirements. These carers would be paid at level one fostering rates which are set at the national minimum allowance rate. All carers for children subject to an SGO/CAO/RO would be entitled to undertake training in order to receive higher lever allowances.

3. Amend foster carer allowances in line with the foster carer progression scheme paper and allow SGO/CAO/RO payments to be made at level one, two and three dependent on the complexity of needs of the child.

As per option 2 plus this option would allow payments to be made:

- At level one (typically to carers who do not meet fostering thresholds and have not undertaken training as above)
- At level 2 (carers who meet fostering thresholds and have undertaken training)
- At level three (typically foster carers who are caring for the most complex of children and who require an enhanced package in order to be able to consider applying for an SGO/CAO in respect of a child in their care)

- 26 The proposed fees are summarised in the table below. The financial model is summarised at paragraph 51 below and savings identified compared to option 1 – do nothing are estimated at approximately £0.2m dependent on take up of training and IFA Foster carer conversion rates.

**The proposed (Option 3) SGO/CAO/RO weekly payments are as follows:**

Age of Young Person	Level 1	Level 2	Level 3	
	National Min. Fostering Allowance	Base Weekly Allowance – Fostering Network Rate	Base Weekly Allowance – DMBC enhancement rate	Payment per household
0-4	126.00	142.86	240.33	25.00
5 – 10	139.00	162.73	284.85	25.00
11 – 15	159.00	202.58	349.00	25.00
16+	185.00	246.44	417.08	25.00

**REASONS FOR RECOMMENDED OPTION**

- 27 The foster carer progression scheme proposal aims to improve outcomes for children through improved ability to attract professionally qualified foster carers to work for DCST and an increase in the sufficiency of foster carers in the Doncaster area. It also aims to ensure the financial resources of DCST are used most effectively through increasing the number of foster carers approved by DCST and safe reduction of numbers of children in care. The recommendation will impact positively on outcomes for children through improving the range and quality of foster carers who work for the Trust.
- 28 The SGO/CAO/RO option 3 proposal aims to ensure the financial resources of the Trust are used most effectively through targeted financial support to carers of children on an SGO/CAO/RO which ensures all children receive adequate financial support whilst targeting resources at those with the most complex needs. This targeting of resources will enable foster carers to apply for SGO/CAO/ROs and will therefore reduce numbers of children looked after and associated costs. Option 3 is better than option 2 as it allows SGO/CAO/RO carers more opportunity for progression.
- 29 The recommendation will impact positively on outcomes for children through supporting carers to apply for SGO/CAOs and take on greater responsibility for

decision making for the children in their care. Social work resources may be focussed on the lower numbers of children remaining in care.

### **ADOPTION ALLOWANCES**

- 30 The government has directed that all Local Authority adoption services must combine to form larger regional adoption agencies. South Yorkshire agencies will combine to form a single adoption agency by October 2017. Doncaster Children's Services Trust is leading on the development of the South Yorkshire Adoption Agency. All Adoption allowances will be reviewed and streamlined into one allowance structure as part of the process of regionalisation and therefore at this point **adoption allowances are excluded from the proposal to link payments to the new foster carer progression scheme**, and all Adoption Allowances will remain linked to foster carer level 2 on the scheme. Consultation of adoption allowances and any proposal to amend the existing means test for adopters will be undertaken as part of the overall process to establish a South Yorkshire Adoption Agency once initial agreement to progress has been secured across the four partner authorities and the Trust. The results of this consultation and recommendations will be presented to all four partner authorities and the Trust for consideration.

### **FINANCIAL ASSESSMENT – MEANS TEST**

- 31 The SGO/CAO Allowances have always been subject to the Department for Education and Skills (DFES) Standardised Means Test Model, although over time certain local practices have developed which were not part of this original model. As a result this model has been reviewed by DCST and the Council's benefit team so that it is once again more consistent with the Standardised Means Test Model for Adoption and Special Guardianship Financial Support promoted by the DFES and that adopted by other local authorities. Details of how the model is proposed to be used in Doncaster are shown below, the use of this model was approved by the Cabinet decision in July 2014 subject to appropriate consultation alongside the changes to SGO/CAO/RO allowances proposed to be undertaken.
- 32 Foster Care Allowances are not subject to any such means test. Any foster carer who obtains an SGO/CAO in respect of a child in their care is exempted from the Means Test process for two years after the Order has been obtained in line with the Special Guardianship Order Regulations (2005).

### **Financial Assessment Criteria for SGO/CAO/RO Allowances**



- 33 Financial Assessments are carried out using the Department for Education (DfE) 'Standardised Means Test Model for Adoption and Special Guardianship Financial Support'. The DfE recommend its use to ensure a fair and consistent approach to the assessment of financial support to adoptive or special guardian families. The DfE model guidance annotated with the local proposals for Doncaster is at appendix 1. It should be noted that the guidance is written in the context of the financial model calculation tool that accompanied the guidance when it was published.
- 34 The model delivers a standard approach to arriving at SGO, CAO or RO support payments, so that these families are treated equitably within the context of what is affordable within existing local authority budgets.
- 35 In general, the model is based on disposable income, and so provides a thorough analysis of the family's financial situation.
- 36 The model allows for local authority discretion in some areas of the financial assessment. The following proposals have been made for these areas as they apply in the DMBC scheme - in line with DfEs suggestions and recommendations:
- i. If the family is in receipt of a passported benefit, i.e. Income Support, income-based Jobseeker's Allowance or income-related Employment and Support Allowance, the applicable maximum payment will be paid without assessing their income / expenditure. The amount paid to the family will include appropriate deductions for Child Benefit for which they will become eligible.
  - ii. Existing allowances paid by a different local authority for other children will be taken into account as income.
  - iii. The only 'Home expenditure' taken into account will be that specified in the model
    - Mortgage payments
    - Endowment payments linked to the mortgage
    - Rent (net of any Housing Benefit received)
    - Council Tax (net of any discounts and/or Local Council Tax Support).
  - iv. Other home-related expenditure will not be taken into account on the basis that a standard deduction from income is applied in the standard means test for 'Core regular family expenditure'. This is an amount equivalent to the Income Support allowance for the household plus 25%. In addition, 20% of family income is disregarded in the means test.
  - v. Loan repayments for essential items purchased to meet a need incurred as a result of the adoption, special guardianship or child arrangement order will be considered in 'Other outgoings'.
  - vi. No deduction for Child Benefit will be made from the calculated allowance if the carer is unable to claim this benefit due to their income levels exceeding the Department for Work and Pensions' threshold.

Reasonable child care costs will be considered in 'Other outgoings' in line with the Department for Work and Pensions guidelines.

## IMPLEMENTATION TIMELINE

Date	Action
Aug 16	Lead Member approval to proceed with consultation
Sept to Oct 16	Consultation with all recipients of SGO, CAO, and RO allowances. Consultation with all DCST Foster carers
Nov 16	Review of consultation and completion of Due Diligence Review and finalisation of Cabinet report
Nov/Dec 16	Approval of DCST and DMBC Executive Boards
13 <sup>th</sup> Dec 16 23 <sup>rd</sup> Dec 16	Approval of Cabinet Call Off period ends
Jan 17	Payments made to new applicants at new rates and based on new financial assessment criteria
Jan 17 - Sept 17	Consideration of SGO for carers of children in long term foster care – discussed at every children’s review
Jan - Apr 17	Transition period for existing recipients with opportunity to undertake training
Apr 17	Financial reviews of all existing recipients means tests commence
Jun 17	New payment baselines implemented
Jul 17	All financial reviews complete, and annual review cycle commences
Sept 17	Review of progress
Nov 17	First completed conversions to SGO from IFA placements

## IMPACT ON THE COUNCIL’S KEY OUTCOMES

Outcomes	Implications
<p>All people in Doncaster benefit from a thriving and resilient economy.</p> <ul style="list-style-type: none"> <li>• <i>Mayoral Priority: Creating Jobs and Housing</i></li> <li>• <i>Mayoral Priority: Be a strong voice for our veterans</i></li> <li>• <i>Mayoral Priority: Protecting Doncaster’s vital services</i></li> </ul>	None
<p>People live safe, healthy, active and independent lives.</p> <ul style="list-style-type: none"> <li>• <i>Mayoral Priority: Safeguarding our Communities</i></li> <li>• <i>Mayoral Priority: Bringing down the cost of living</i></li> </ul>	<p>Children will be able to live with carers who are well-trained and qualified for the role. More over the amount of allowances paid will directly correlate with the training and skills evidenced by the carers, thus improving the quality of care they receive.</p>
<p>People in Doncaster benefit from a high quality built and natural environment.</p> <ul style="list-style-type: none"> <li>• <i>Mayoral Priority: Creating Jobs and Housing</i></li> <li>• <i>Mayoral Priority: Safeguarding our Communities</i></li> <li>• <i>Mayoral Priority: Bringing down</i></li> </ul>	None

<i>the cost of living</i>	
All families thrive. • <i>Mayoral Priority: Protecting Doncaster's vital services</i>	By enhancing the training offer to carers who are not approved foster carers, their skills are likely to be enhanced and thus these placements are likely to be more secure and thus enable the young people to achieve positive outcomes.
Council services are modern and value for money.	Allowances will directly correlate with training accessed by carers and this is likely to bring some cost efficiencies in respect of the SGO Allowance budget.
Working with our partners we will provide strong leadership and governance.	None

## RISKS AND ASSUMPTIONS

- 38 The proposals need to meet regulatory requirements and could be subject to challenge or judicial review. Legal and barrister advice has been sought. The proposal has been informed through careful consultation.
- 39 The financial modelling has been undertaken with the best information available at this time, but includes a number of assumptions. It is possible the projected financial benefits might not be achieved. For example, carers of children under an SGO / CAO / RO will need to be offered training to meet fostering standards, but it is unknown how many would wish to undertake this training. Also the outcome financial assessments and re-assessments cannot be calculated with accuracy at this stage due to the variables. The revision of allowance payments will need to be carefully monitored against the budget.

## LEGAL IMPLICATIONS

- 40 Under the Children Act local authorities may determine the terms on which looked after children are placed with a foster carer. Statutory guidance requires foster care allowances to be sufficient to cover the full cost of a child placed with them and a National Minimum Fostering Allowance has been set by the government. Each foster carer should receive this allowance for the child, plus any necessary agreed expenses for the care, education and reasonable leisure interests of the child, including insurance, holidays, birthdays, school trips, religious festivals etc, which cover the full cost of caring for each child placed with her/him. Allowances and any fees paid are reviewed annually and foster carers should be consulted in advance of any change to the allowance and fee. Local authorities should have a clear and transparent written policy on payments to foster carers that sets out the criteria for calculating payments.
- 41 Local authorities are also required to make a range of support services available to meet the needs of persons affected by special guardianship, which includes financial support. The Special Guardianship Regulations prescribe the circumstances when financial support to a special guardian can be made, which include where it is necessary to ensure that the special guardian can look after a child. The statutory guidance provides that when determining the

amount of any ongoing financial support the local authority should have regard to the amount of fostering allowance which would have been payable if the child were fostered. The guidance provides that the means of the special guardian will normally be considered and refers to the suggested means test of the Department for Education and Skills as a means test that local authorities may wish to use. Counsel Advice was obtained on the principles contained in considering revisions to the scheme.

- 42 The proposed schemes have been subject to a formal consultation as detailed within the report . Details of the consultation questions and responses are identified within the appendices In taking this decision, the decision maker must be aware of their obligations under section 149 Equality Act 2010. This section contains the Public Sector Equality Duty (PSED). It obliges public authorities, when exercising their functions, to have 'due regard' to the need to:

Eliminate discrimination, harassment and victimization and other conduct which the Act prohibits;

Advance equality of opportunity; and

Foster good relations between people who share relevant protected characteristics and those who do not.

The relevant protected characteristics under the Equality Act are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The duty also covers marriage and civil partnerships, but only in respect of eliminating unlawful discrimination. Clearly there are specific age and gender groups which are most affected in this instance.

- 43 Case law has established the following requirements for the PSED to be exercised lawfully:

- The equality duties are an integral and important part of the mechanisms for ensuring the fulfilment of the aims of anti-discrimination legislation.
- The relevant duty is on the decision maker personally. What matters is what he or she took into account and what he or she knew. The decision maker cannot be taken to know what his or her officials know or what may have been in the minds of officials in proffering their advice
- It is important to record the steps taken by the decision maker in seeking to meet the statutory requirements in order to demonstrate that the duty has been discharged;
- The decision-maker must assess the risk and extent of any adverse impact and the ways in which such risk may be eliminated before the adoption of a proposed policy. It is not sufficient for due regard to be a "rear-guard action" following a concluded decision;
- In order to be able to discharge the duty the decision-maker must have information about the potential or actual equality impact of a decision. This information will often be gained in part through consultation;

- The duty must be exercised in substance, with rigour, and with an open mind. It is not a question of ticking boxes; while there is no duty to make express reference to the regard paid to the relevant duty, reference to it and to the relevant criteria reduces the scope for argument;
  - General regard to issues of equality is not the same as having specific regard, by way of conscious approach to the statutory criteria;
  - Officers reporting to decision makers, on matters material to the discharge of the duty, must not merely tell the decision maker what he/she wants to hear but they have to be “rigorous in both enquiring and reporting to them”;
  - Although it is for the court to review whether a decision-maker has complied with the PSED, it is for the decision-maker to decide how much weight should be given to the various factors informing the decision, including how much weight should be given to the PSED itself;
  - The duty is a continuing one and Decision makers should in particular note that the duty is for them personally. It is not sufficient to rely on advising officers to discharge the duty by the preparation of the due regard statement and this report. Decision makers must themselves read and actively take into consideration the due regard statement and the consultation materials.
44. Decision makers should also note that as the duty is a continuing one, it will be necessary for decision-makers to have due regard again at the time at which subsequent decisions may be taken. There should be a record/audit trail of how due regard has been shown. The decision maker must also pay regard to any countervailing factors, which it is proper and reasonable to consider. Budgetary pressures, economics and practical factors will often be important. The weight of these countervailing factors in the decision making process is a matter for the decision maker. In discharging the PSED, Decision makers may in particular wish to note the following matters in the due regard statement: the number of carers who are female and those who are within two identified age categories over the age of 41.

## **FINANCIAL IMPLICATIONS**

45. The report is seeking approve proposals to amend the foster carers and SGO/CAO/RO allowances schemes in order to support foster carer recruitment through development of a clearer offer and ensure financial resources of the Trust are used most effectively through targeted financial support to carers of children on an SGO/CAO/RO. Specifically this should enable foster carers to apply for SGO's and will therefore reduce numbers of children looked after and associated costs. As part of the Trust's original efficiency targets (3 year agreed MTFP 2014-2017) there was a £750k target for reducing the number of Independent Foster Carers (IFAs) and increasing the provision of in-house foster carers (IHF), which on the current fees schedule equate to approximately 32 carers and a general £150k target from the review of SGO/CAO/RO allowances.

## **Foster Carer Progression Scheme**

46. The proposed scheme replaces the current enhanced rates with a progression scheme with level 1 to 3 payments. The fees are set out in the table at paragraph 20 above and are based on the fostering network recommended rates, which are used nationally. There are currently in house 43 foster carers receiving an enhanced payment for a total of 57 children (level 3 equivalent) as they provide care for a child with complex behaviours or needs and 73 in-house foster carers are receiving a standard payment for 106 children (level 2 equivalent). The Trust's in-house fostering budget is £2.2m and at Q1 were forecasting an underspend of £66k. Based again on Q1 figures, the number of independent fosterers (IFAs) is 191 and the Trust's budget is £7.0m with a forecast overspend of £827k. The specific financial implications with the proposed new scheme are:-
- i. It is expected the majority of mainstream foster carers who complete basic training will remain on level 2 prior to progression. A small number of foster carers who have not completed all basic training (primarily connected person foster carers on temporary approval) will receive level 1 payment. On average this will apply to 10 carers over the course of a year, which might mean a reduction in costs of £20k (full year impact based on average).
  - ii. In order to progress to level 3, foster carers will have to prepare a portfolio detailing training skills and evidence of work with the most complex of children. They will also have to commit to an offer of support to the fostering service. It is anticipated that a 1/3 of DCST foster carers will be eligible for progression; therefore the level 3 payments being paid under the new scheme will be at similar levels to what is currently being paid. This proposal will therefore be managed within existing budgets, i.e. no anticipated cost or saving.
  - iii. It is envisaged that the progression scheme will support recruitment of foster carers through being able to give clarity about payment levels and a greater degree of stability for those carers who meet the enhanced skill set required. The Trust is proposing to review the longer term IFA placements of which there are c. 105 and expects to see movement from IFA's to in-house fostering. The annual saving is from approximately £18k up to £23k (depending on age of child) for every IFA that moves to level 3 payments. So if say 10 transferred the Trust would have reduced costs of c. £180k - £230k.

## **SGO/CAO/RO Allowances**

47. The proposal to amend SGO/CAO/RO allowances in line with the proposed foster care progression scheme will see three levels of allowance introduced. The proposed fees are set out in the table at paragraph 26. Level 1 will be basic allowance which is based on the national minimum fostering allowance, level 2 will be allowances for those carers who undertake training, and level 3 will be allowances to reflect the complexity of need of some children/ young people.

- It is assumed children who would attract level 3 allowances are currently in long term IFA placements, therefore all level 3 carers will be eligible for the additional household payment as they will have been foster carers before transferring to SGO arrangements.
  - The current payments scheme is based on Fostering Network rate (Level 2).
48. The table below summarises the detailed undertaken of the financial modelling of the options. Note option 2 has not been separately modelled as it is the same as option 3 excluding the movement of IFA's to SGO. The modelling has been based on activity at 1<sup>st</sup> April, not the latest figures and includes expected reductions due to children turning 18. The table presents (ref 5) the modelled costs based on 50/50 split of SGO at level1 /2 and the assumption of 5% of IFA's transferring to level 3. This is considered a prudent/reasonable estimate of the changes/movement.
49. The detailed modelling also includes 10/90 & 90/10 splits with 1% or 10% transfer from IFA's to SGOs. The service manager of the Trust has indicated that the 90/10 split is possible which would provide an even higher difference between options 1 & 3 – greater savings. However, there are a number of variables and the likely outcome of the proposed changes is difficult to anticipate. The Trust's growth in SGOs has been approximately 50 per year, but is not expected to be as high as this in future. The current annual gross growth forecast is about 30 and this has been used in the financial modelling. The modelling includes assumptions on the transition and timeline of introducing the new allowance schemes. The modelling does not take into account any changes arising from the revised/updated means testing – many carers personal circumstances might have changed and it cannot be estimated what these will be, but will have an impact on the potential savings/pressures identified below.
50. The fees are subject to an annual payment review and this was previously based on the government's recommended foster care network fees uplift, which in turn was based on the CPI rate in November each year. The foster care network fee uplift is no longer provided, but the estimated CPI rate is included in the Council's MTFP and is used to uplift the Trust's contract following the Annual Review process. For simplicity, inflation has been excluded from the financial modelling.
51. The consultation also helped identify some non-standard payments, which require further investigation and clarification and will be subject of a separate report and decision on any changes to their allowances.

### **Summary of Financial Modelling**

52. Option 1 – do nothing. If we did nothing, the service would continue to overspend (assuming no other actions taken/changes to activity). There is currently an over spend against the existing budget due to the growth in numbers of children in previous financial years of £162k (Q1 updated forecast is £214k), rising to £838k in 2020/21 assuming 30 growth per year.
53. Option 3 - The modelling indicates savings from option 3 compared to option 1, i.e. there is movement from level 2 to level 1, ranging. In 2017/18 budget

savings of £151k might be achieved if all payments move to level 1, but if only half move then the overspend against the base budget will be £111k, which is £220k less than if we did nothing. Note the financial modelling assumes no movement from IFA's in 2017/18. It is assumed there will be movement in IFA's from 2018/19 and each year after that and continued growth of 30 children per year. The annual saving is up to (£23k) for every IFA that moves to level 3 payments. In 2018/19 If 10% move from IFA's, the proposal will generate higher in year savings of £344k against the base budget if all SGO/CAO/RO payments move to level 1 but there will be a budget pressure of £379k if all SGO/CAO/RO payments remain at level 2.

## HUMAN RESOURCES IMPLICATIONS

54. There are no specific human resources implications.

## TECHNOLOGY IMPLICATIONS

55. There are no specific IT implications arising from this report. Any changes to payment systems will be managed within existing resources.

## EQUALITY IMPLICATIONS

56. Equality implications have been carefully considered for the proposals and the Due Regard Statements for the Foster Carers Progression Scheme and SGO/CAO/RO allowances are attached in appendices 4 and 5 respectively.

## CONSULTATION

57. A consultation was approved by the Lead Member for Children's services on 8<sup>th</sup> September 2016 that was to be held for a six week period from 19<sup>th</sup> September to 28<sup>th</sup> October 2016 in respect of the foster care progression scheme, the SGO/CAO/RO allowances and changes to means test.

58. The consultation excluded adoption allowances. All Adoption allowances will be reviewed and streamlined into one allowance structure as part of the process of regionalisation of adoption services, but consultation of adoption allowances will be undertaken as part of the overall process to establish the South Yorkshire Adoption Agency once initial agreement to progress has been

	Ref	2016/17 £	2017/18 £	2018/19 £	2019/20 £	2020/21 £
SGO/CAO/RO Base Budget		2,791,700	2,791,700	2,791,700	2,791,700	2,791,700
<b>Option 1: Do nothing</b>						
Variance - excluding growth	1	50,817	1,032	13,955	-57,179	-148,867
Variance - with growth of 30 cases per year	2	162,385	331,525	563,374	711,166	838,404
<b>Option 3 - Three Allowance Levels based on Foster Care Progression Scheme</b>						
IFA's movement - with growth 30 cases per year		Not yet implemented	No IFA's transfer to Level 3	5% of IFA's transfer to Level 3		
Best Case - all SGO/CAO/RO's move to Level 1	3		-151,195	-253,800	-222,877	-159,055
Worse Case - all SGO/CAO/RO's remain on Level 2	4		353,747	469,367	543,300	640,703
Middle - SGO/CAO/RO's 50% Level 2 and 50% Level 1	5		111,458	117,783	170,211	250,824
Difference between 2 & 5			-220,067	-445,592	-540,955	-587,580



secured across the four partner agencies.

### **Outcome of Special Guardianship Order, Residence Order and Child Arrangement Order Base Rate and Top-Up Allowances Consultation**

59. A letter detailing proposed changes was sent to all carers (253 in total) who are in receipt of Special Guardianship, Residence order and Child Arrangement Order allowances, inviting feedback to the proposals through a variety of methods:

- a. Postal response – 31 responses
- b. On-line (via Survey Monkey) – 14 responses
- c. Telephone – 4 calls
- d. Group sessions
  - Adwick Leisure Centre - 1 allowance recipient
  - Martinwells Centre - 4 allowance recipients
  - Vermuyden Centre - 3 allowance recipients
  - Civic Offices - 3 allowance recipients
- e. Individual face-to-face meeting - 7 allowance recipients

### Summary of Findings

60. Baseline payments based on the minimum allowance

65% of postal and on-line respondents agreed that baseline payments should be based on the national minimum allowance. Few respondents cited reasons for disagreeing with the proposal but those that did generally felt that payments should be the same for all carers, and that the payment reflected what was needed for the child.

61. Basic skills development course for additional allowance and interest in undertaking training

65% of postal and on-line respondents agreed that carers should undertake a basic skills development course for an additional allowance. Few respondents cited reasons for disagreeing with the proposal but those that did generally felt that they have been looking after children for a period of time and did not see the relevance of training.

Similarly 64% of postal and on-line respondents indicated interest in undertaking training. Those respondents who did disagree cited the same reason in that they felt they were experienced already, although some did feel that they were too old to engage with training

In direct discussions, carers did have questions regarding the relevance of training or concerns regarding what the training would entail but following explanation were overwhelmingly in favour.

62. Enhanced payments for carers of children with complex needs who have additional skills

86% of postal and on-line respondents agreed that there should be enhanced payments for carers of children with complex needs who have additional professional skills.

### 63. Review of means test

63% of postal and on-line respondents agreed with proposals to review the means test. Respondents who disagreed generally felt that the allowance was for the benefit of the child and should not be subject to means testing, whilst others challenged specific inclusion and exclusion criteria.

One of the change areas contested was the limitation of household expenses taken into account. A number of responses were made at the events from pensioners who had paid off their mortgages and objected to expenses for water rates, home and life insurance being excluded from the means test.

This feedback has prompted a review of the allowances used in the means test to calculate Core Regular Family Expenditure (CRFE). CRFE covers general household expenditure on items such as food, transport, clothes and recreation.

The allowance for CRFE is currently calculated using the Income Support Allowance rates but increased by 25%. This applies for all family groups regardless of the age of the carer and/or their partner. However, the equivalent rates used to calculate pensioner benefits are higher to reflect the additional household expenditure incurred amongst this group, extra heating bills, etc.

Going forward, to make the scheme more equitable with other pensioner benefits, these higher allowance rates will be used to calculate CRFE where the carer and/or partner has reached state pension age. This will result in less of their income being treated as available in the means test to care for the child and should allay the concerns from this group.

In direct discussions, carers generally wanted further information regarding their individual situation as they were apprehensive regarding the potential impact on their financial circumstances.

Consultation responses are provided within Appendix 4 - Note:

- Individual comments have been edited to ensure anonymity, whilst some others have been abbreviated for the sake of report clarity
- A small number of respondents detailed specific queries relating to their circumstance that have required an individualised service response that by necessity remains confidential and outside the scope of this report.

### **Outcome of Foster Care Progression Scheme Consultation**

64. A consultation was previously undertaken in 2014 in regard to a review of the Foster Carer Progression Scheme and as a result the proposal being consulted upon within this report has been informed by received feedback.

65. The current proposal, detailed within this report, was subject to full consultation over a six week period from 19th September to 28th October 2016. A letter detailing proposed changes was sent to all local authority foster carers (125 in total), that was also posted on the Doncaster Foster Carer Association website, inviting feedback to the proposal through a variety of methods:

- a. E-mail
- b. Discussion with supervising social worker
- c. Foster Carer Forum on 7<sup>th</sup> October – attended by 52 foster carers

## Summary of Findings

66. Foster carers were overwhelmingly positive about the proposals. No concerns were raised following individual discussions

(Full details of consultation responses are provided within Appendix 5)

## **BACKGROUND PAPERS**

67. Cabinet report 16 July 2014, '*Consultation on Special Guardianship/Residence Order allowances and Foster Care allowances*'.
68. Cabinet report 7 September 2016, '*Consultation of Foster Care progression scheme, and Special Guardianship / Child Assessment Order Allowances*'.
69. Foster Carer Progression Scheme Consultation Letter, September 2016
70. Special Guardianship Order, Residence Order and Child Arrangement Order Consultation Letter, September 2016

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# STANDARDISED MEANS TEST MODEL FOR ADOPTION AND SPECIAL GUARDIANSHIP FINANCIAL SUPPORT

## Introduction

1. The Department for Education and Skills has developed a model means test for adoption and special guardianship financial support. The model has been tested with various local authorities and modifications made as a result.
2. **Please note that this test is a suggested model only.** It is not a statutory requirement for local authorities to use this model in place of their existing system. However, we do recommend its use by local authorities, as we believe that the model developed is fair and that adoptive or special guardian families would benefit from a consistent approach by local authorities.
3. The model proposed is intended to deliver a standard approach to arriving at adoption support or special guardianship support payments (if not always a standard payment), so that adopters and special guardians are treated equitably within the context of what is affordable within existing local authority budgets.

## Guidance on using means test model

### *General*

4. The model is based on disposable income, and so provides a thorough analysis of the family's financial situation. Key principles of the test are set out in this section.
5. The regulations on adoption and special guardianship support services<sup>1</sup> set out that there must be no reward element in financial payments other than as a transitional provision for foster carers adopting or becoming special guardians for a child for whom they are currently caring.
6. The overall approach used in the test is a 'snapshot' of the family's current circumstances. By this, we mean that if the adopted or special guardian child is already living with the prospective adopters or adoptive parents/special guardian, then the child should be included in the calculations. If the child is

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<sup>1</sup> The Adoption Support Services Regulations 2005 (SI 2005/691) and the Special Guardianship Regulations 2005 (SI 2005/1109) both available at [www.opsi.gov.uk](http://www.opsi.gov.uk).

not yet placed with the prospective adopters/special guardian, then the child should not be included in the calculations.

7. If a family is in receipt of Income Support, we recommend that the local authority pay the family the applicable maximum payment without assessing their income/expenditure in this test. The figure paid to the family should not include any deductions for child benefit (as they are in receipt of Income Support).

***DMBC local policy:*** *If a family is in receipt of Income Support or any other 'passport' benefit (income-based Jobseeker's Allowance; income-related Employment and Support Allowance; Pension Credit Guarantee) the Council will pay the maximum payment without assessing their income/expenditure. However, the Council will make a deduction from the maximum payment for Child Benefit in all cases except where the family is receiving Income Support which has been assessed under the old (pre 2009) rules. This means test guidance was published before the Income Support assessment rules changed in 2009. Families in receipt of Income Support are now automatically entitled to maximum Child Tax Credit which does not take Child Benefit into account.*

8. Financial support paid to adoptive parents or special guardians under the regulations cannot duplicate (or be a substitute for) any payment to which adopters or special guardians would be entitled under the tax and benefit system. We recommend that local authorities only include benefits that are currently being paid to members of the household. If the local authority believe that there are other benefits to which the household would be entitled, this should be pointed out to the adopters or special guardian. A reassessment after 3 months could then be made which would capture all of the new benefits being received. This could be the case where, for example, a child has recently been placed with the prospective adopters or special guardian, and they have not yet claimed child tax credit.
9. The test is currently worked out on a monthly basis. If local authorities prefer to use weekly figures, the model can be adapted for this.

## **PROJECTED FAMILY INCOME**

### **Section 1i - Pay**

10. This section should include basic net monthly pay, before any deductions for savings schemes, social clubs, accommodation/food and loans. However, the income figure used should exclude any payments into pension funds.
11. Where one (or both) of the parents or special guardian is self-employed, the only income which should be considered is 'drawings' as this is the equivalent of pay from an employer. Any profit from the business sitting in a bank account (and thereby not being reinvested) should be taken into account as capital under section 1iv: other sources of income.

12. If one (or both) of the parents or special guardian receives overtime, fees, bonus/commission and/or gratuities on a regular basis (for example annual bonuses) should be included as part of the monthly payment (i.e. if the payments are annual, these should be divided by 12 to give a monthly amount to be included in the 'basic net monthly pay' section). If local authorities are using weekly figures, the extra income should be calculated on this basis.

*Section 1ii – Benefits and pensions (parents)*

13. Where the parents or special guardian receive individual benefits (i.e. those that are not calculated on a household basis) these should be included in this section. If the benefit payments are currently received weekly, please multiply by 52 and divide by 12 to give a monthly amount. Benefits to be entered in this section are:
- Employer's sick pay (after compulsory deductions)
  - Incapacity benefit
  - Statutory maternity, paternity and/or adoption pay and/or maternity allowance
  - Bereavement benefit
  - Working tax credit (if paid directly and not as part of pay and excluding any childcare element received)
  - All pension payments received
  - Other benefits
14. In relation to working tax credit, our understanding is that an employed person currently receives working tax credit within pay from his employer. If this is the case, the amount will be included in the basic net monthly pay section. All those who receive working tax credit will receive an award notice which sets out how much they will receive. This award notice will provide the information needed for this section of the test.
15. Where a childcare element is paid as part of the working tax credit, this should be disregarded for the income section of the test. The existence of this type of credit needs to be considered when completing the expenditure section on childcare (see below).
16. Any other benefits received by the parents, for example help with costs associated with disability or mobility, should be recorded in the 'other benefits' section.

*Section 1iii – Benefits (family/children)*

17. Where benefits are received by the family or household, as opposed to being paid directly to the parents, they should be recorded in this section. This is primarily for benefits which are calculated on the basis of household composition. Benefits to be included in this section are:
- Income Support
  - Jobseeker's Allowance

- Child tax credit per household
  - Child benefit for each child, excluding the child/children who are the subject of this assessment application
18. If a member of the household receives Income Support or Jobseeker's Allowance, the amount per household should be recorded here. Also see paragraph 8 above, where it is recommended that where the only income families receive is Income Support, the applicable maximum payment should be made to the family.
19. Benefits which should be included in this section are child tax credit received for each child, at the time that the test is applied. All those who received child tax credit should receive an award notice setting out how much they will receive.

***DMBC local policy: Disability Living Allowance in respect of the child who is the subject of the application will not be taken into account. This was previously approved in the 2011 local policy.***

20. Child benefit should be included for each child living in the household, excluding the child/children who are the subject of this assessment application.
21. Housing benefit should also be excluded from this section, as it is disregarded for the purposes of the expenditure section below.

*Section 1iv – Other sources of income*

22. Where the family receive income from capital, savings and/or investments, this should be assessed in terms of net monthly interest only, as paid. This is the income that is routinely available to the family, and should be clearly shown on statements/similar. Any interest received from Government Child Trust Funds should not be included in this section.
23. If the family receive income from boarders/lodgers, this should be calculated on a weekly basis (then multiplied by 52 and divided by 12 to give a monthly amount if the test is being completed on a monthly basis). To calculate the weekly income, all weekly payments for board and lodging must be added together, a £20 disregard applied and then 50% of any excess over £20 for each person deducted. This is how income from boarders/lodgers is calculated for income support purposes.
24. Examples of the approach for income from boarders/lodgers are as follows:

**Boarder/lodger 1**

Weekly payment	£55
Deduct £20 (disregard)	-£20
	£35
Deduct 50% of remainder	-£17.50
<b>Income from boarder/lodger 1</b>	<b>£17.50</b>

**Boarder/lodger 2**

Weekly payment	£60
Deduct £20 (disregard)	-£20
	£40
Deduct 50%	-£20
<b>Income from boarder/lodger 2</b>	<b>£20</b>

25. Where the family receive income from rent on an unfurnished property, this should be calculated on the following basis: monthly income received in rent after the deduction of any costs. Deductions can be made for:
- Interest payments on the mortgage (but not mortgage capital payments);
  - Repairs;
  - Council tax (if paid by the family being assessed)
  - Agents' fees; and
  - Insurance (buildings)
26. If income is received from furnished properties, the same calculation applies as above for unfurnished property, but an extra 10% deduction from the monthly rent received can be made as a 'wear and tear allowance'.
27. The approach used in paragraphs 25 and 26 above is consistent with that used for calculating income from property for the purposes of income tax. If the person who is the subject of the assessment has completed a recent tax return, local authorities may ask to see a copy of this. The tax return should have the information needed for this section of the test.
28. Other income to take into consideration includes maintenance payments received for any child in the household and existing adoption or special guardian allowances (including enhancements for special needs) paid for any child. This latter may be paid where, for example, the family have adopted or become a special guardian for a child with a different local authority and therefore receive a separate allowance.

*Section 1v – Income relating to the child/children being adopted or becoming a special guardian child*

29. This section relates to the child/children being adopted or becoming a special guardian child only. Any regular interest on capital and/or income in which the child/children has a legal interest and entitlement should be included here. This could be, for example, a savings account, trust fund, property or other legacy.
30. Payments from Criminal Injuries Compensation Awards should not be included. Any interest received from Government Child Trust Funds should not be included in this section.
31. Please also consider any other income to which the child/children might be



entitled. This section does not record child benefit for the adopted or special guardian child, which will be deducted from the final payment resulting from this means test.

### *Income calculation*

32. The means test spreadsheet will automatically calculate the household monthly income, and will also apply a 20% disregard to this income figure.

## **PROJECTED FAMILY EXPENDITURE**

### *Section 2i – Home expenditure*

33. This section should include mortgage payments, made up of capital and interest, and also including any endowment payments linked to the mortgage. If the family pays rent, the monthly amount actually paid should be recorded here, after any deductions made for housing benefit. The only other outgoing which should be included in this section is council tax paid; this should be the amount paid after the deduction of any council tax benefit received by the household or discount for single adult households or second homes.

### *Section 2ii – Other outgoings*

34. Where the family pay regular monthly repayments on loans for housing improvement (e.g. extensions/new kitchens) or transport costs (e.g. new car), we suggest that these are included in this section. Local authorities will need to decide in relation to the individual circumstances as to whether a loan repayment should be included here. Some loans may have been taken out by the adoptive or special guardian family to meet a new need incurred as a result of the adoption or special guardianship order (e.g. buying a larger car).

***DMBC local policy:*** Decisions on whether to take loan repayments will be decided on a case by case basis. Loan repayments will only be considered if they relate to essential and relevant expenditure incurred as a result of the special guardianship or child arrangement order.

35. Other payments which can be included in this section include maintenance payments, payments relating to court orders, private pension contributions and national insurance if self-employed or not working.
36. The section for 'reasonable' child care costs will need to be determined by each local authority depending on (a) the circumstances of the family in question (e.g. how many hours the parents work); and (b) local costs for child care services. Costs recorded in this section should be those paid after any childcare element paid as part of the parents' working tax credit. All those who receive working tax credit will receive an award notice which sets out how much they will receive.

***DMBC local policy:*** Decisions on whether to take reasonable childcare costs

*into account will be decided on a case by case basis. Childcare costs will only be considered up to a limit where the applicant (and partner if applicable) are working 16 hours or more a week and the childcare costs are paid to a registered childminder or an official approved scheme such as an 'Out of School Hours' scheme provided by a school.*

### *Section 2iii – Core regular family expenditure*

37. General household expenditure on items such as food, transport, clothes, recreation should be calculated using the Income Support allowance rates, but increased by 25%. Where the carer and/or their partner have reached state pension age, the pensioner allowance rates will be used instead of the Income Support allowance rates, increased by 25%.
38. In completing the means test, local authorities will need to calculate the appropriate figure for the family being assessed.

### **CALCULATION**

39. The spreadsheet will calculate the household's monthly disposable income.
40. Local authorities will need to enter the appropriate maximum payment for the household, depending on the number and age of the child/children being adopted or becoming special guardian children, and the circumstances of the child e.g. special needs.
41. We understand that most local authorities will have a payment structure for fostering allowances consisting of a core allowance paid for all children, plus enhancements linked to, for example, special needs. This payment structure will be linked to local variations in the cost of living and individual local authority budgets. We recommend that adoption and special guardianship maximum payments are tied to these allowances. This would result in a different maximum payment in individual cases, determined by the needs of the child, against which amount the test is run.
42. After the local authority maximum payment has been entered manually, the box marked 'amount of payment to adopters or special guardian' will show the payment that the test has calculated for adopters or the special guardian. This amount is calculated on the following basis:
  - Where the family's disposable income is less than £0, the spreadsheet will show the local authority's maximum payment. This is because the adopters or special guardian have provided evidence via the disposable income calculation that shows they do not have the means to accommodate any further expenditure.
  - Where the family's disposable income is higher than £0, the spreadsheet will calculate a figure that is a percentage of the maximum payment. As the disposable income figure rises above zero, the percentage of the maximum payment that the adopters or special guardian be tapered at a set rate of 50%. This rate means that for every pound of monthly

disposable income a family is found to have, they will have 50 pence deducted from the monthly maximum payment.

43. We understand that many local authorities determine payments to adopters or special guardians based on the allowances they pay foster carers, and then deduct child benefit from the final amount. This is to reflect that child benefit can be claimed by adopters and special guardians but not foster carers. The appropriate amount of child benefit for the child/children who are the subject of the test should be entered into the spreadsheet. Please note that the maximum payment used to calculate the payment to adopters should not take into account any child benefit the adopters might receive (i.e. should not deduct it) as the spreadsheet allows the child benefit to be deducted after the payment has been calculated.
44. The final payment shown will be the calculation of the means test minus child benefit entered by the local authority.

# **EQUALITY, DIVERSITY AND INCLUSION**

## **DONCASTER CHILDREN'S SERVICES TRUST**

### **Due Regard Statement**

### **Foster Carer Progression Scheme**

A **Due Regard Statement** (DRS) is the tool for capturing the evidence to demonstrate that due regard has been shown when the council plans and delivers its functions. A Due Regard Statement must be completed for all programmes, projects and changes to service delivery.

- A DRS should be initiated at the beginning of the programme, project or change to inform project planning
- The DRS runs adjacent to the programme, project or change and is reviewed and completed at the relevant points
- Any reports produced needs to reference "Due Regard" in the main body of the report and the DRS should be attached as an appendix
- The DRS cannot be fully completed until the programme, project or change is delivered.

**Name of the 'policy' and briefly describe the activity being considered including aims and expected outcomes. This will help to determine how relevant the 'policy' is to equality.**

### **Foster Carer Progression Scheme**

Previous consultation with our foster carers identified that many felt dissatisfied with the current system of foster carer payments and enhancements. Taking this feedback into account, the Trust has undertaken further work to develop a Foster Carer Progression Scheme.

The current system of enhancements to meet the needs of children with complex needs is generous but does not allow foster carers to plan effectively as they are subject to on-going individual review. The progression scheme would:

- Reward carers developing skills;
- support carers' financial planning;
- reward carers' commitment to complex children;
- reward a commitment to Doncaster; and
- help the service to recruit and keep the best foster carers

The progression scheme will also align with the proposed changes to Special Guardianship Order allowances that are subject to separate consultation.

A three tier progression scheme is proposed:

- Level 1 foster carers will meet basic standards but will not have undertaken basic training. This level will be used primarily for foster carers approved in an emergency to care for a family member. Family foster carers or 'connected people' foster carers are fully entitled to progress to levels 2 and 3 just as any mainstream foster carer
- Level 2 foster carers will meet fostering standards and have a commitment to on-going training. We expect that most foster carers will be level 2.
- Level 3 foster carers will meet enhanced standards, have a commitment to care for the most challenging children and offer support and guidance to other newer foster carers.

### **Payment structure for all foster carers**

All foster carers will be paid the fostering rate applicable for their level plus:

- All foster carers who have completed their Training and Development Standards (usually within the first year) will receive a weekly additional amount of £25.00 per household.

- All foster carers except respite carers will receive an additional weekly payment per child to contribute to the costs of birthdays, holidays and other celebrations. Children are not normally in respite on their birthday or other celebration and do not normally go on holiday whilst in respite. If they do require respite at these times (perhaps due to carer illness) specific arrangements will be made
- All foster carers may claim mileage at 45p per mile for required travel over and above the first 40 miles driven each week
- Additional payments may be made to meet a variety of needs. More information may be found on the foster carer handbook on the website or please speak to your supervising social worker

#### **Level 1 foster carer Payment**

Level one foster carers will be paid at the ***national minimum rates*** as agreed annually by the Department for Education (DfE), but an additional weekly allowance of between £15-£25 dependent upon the age of the child.

#### **Level 2 foster carer Payment**

Level 2 foster carers will be paid ***fostering network rates*** with an additional weekly allowance of between £15-£25 dependent upon the age of the child, and a further £25 per household upon completion of the Training and Development Standards

#### **Level 3 foster carer payment**

Level 3 foster carers will receive the current Doncaster service enhancement rate. This enhanced rate will normally be paid for up to two children, although exceptions may be made, with an additional weekly allowance of between £15-£25 dependent upon the age of the child, and a further £25 per household in recognition of completed Training and Development Standards

#### **Level on approval**

Foster carers will automatically be approved at level two provided they have completed preparation training. Foster carers wishing to be assessed for entry at level three will have to evidence skills across all competencies at this level and will normally be experienced carers.

		<p><b>Progression</b></p> <p>Foster carers who wish to progress to the next level will be required to complete a short portfolio to show that they meet the necessary requirements of the role.</p>
2	<b>Service area responsible for completing this statement.</b>	LAC Provider Services, Doncaster Children's Services Trust
3	<p><b>Summary of the information considered across the protected groups.</b></p> <p><b>Service users/residents</b></p>	<p>The review has been monitored across all equality dimensions. From the information that has been provided by foster carers:</p> <p><u>Ethnicity</u> White British = 123, Pakistani = 1, African = 1, any other mixed = 1, any other black = 1</p> <p><u>Gender</u> 192 are female, and 30 are male</p> <p><u>Age</u> 25-40 years = 71, 41-60 years = 123, 61+ years = 28</p> <p><u>Disability</u> There are no foster carers who have a recorded disability</p>
4	<b>Summary of the consultation / engagement activities</b>	<p>All foster carers were contacted to ensure all have an opportunity to understand the proposals and share their views</p> <p>Consultation was through:</p> <ul style="list-style-type: none"> <li>• A detailed letter to all foster carers;</li> <li>• presentation to foster carer forum; and</li> <li>• discussion with supervising social worker on a one to one basis.</li> </ul>

<p><b>5 Real Consideration:</b></p> <p><b>Summary of what the evidence shows and how has it been used</b></p>	<p>A consultation was previously undertaken in 2014 in regard to a review of the Foster Carer Progression Scheme and as a result the proposal being consulted upon within this report had been amended in some respects, in so far as:</p> <p>Slight amendments were made to the detail of the proposal in respect of level 3</p> <ul style="list-style-type: none"> <li>• One carer who does not work amended to one carer available at all times</li> <li>• Offer wider support to the fostering team amended to – if fostering commitments allow ... offer wider support to the fostering service</li> <li>• The transitional arrangements were further clarified</li> </ul> <p>The current proposal, which had been accordingly amended from the foster carer feedback, was subject to full consultation over a six week period from 19th September to 28th October 2016. A letter detailing proposed changes was sent to all local authority foster carers, that was also posted on the Doncaster Foster Carer Association website, inviting feedback to the proposal through a variety of methods:</p> <ol style="list-style-type: none"> <li>a. E-mail</li> <li>b. Discussion with supervising social worker</li> <li>c. Foster Carer Forum on 7th October – attended by 52 foster carers</li> </ol> <p><u>Summary of Findings</u></p> <p>Foster carers were overwhelmingly positive about the proposals. No concerns were raised following individual discussions</p> <table border="1" data-bbox="600 1034 1989 1380"> <thead> <tr> <th data-bbox="600 1034 1048 1098">Issue</th> <th data-bbox="1048 1034 1765 1098">Resolution</th> <th data-bbox="1765 1034 1989 1098">Satisfaction with response</th> </tr> </thead> <tbody> <tr> <td data-bbox="600 1098 1048 1193">Progression via NVQ (now QTS) requires amendment as this route is currently unavailable</td> <td data-bbox="1048 1098 1765 1193">Progression qualification will be amended to include completion of core training and advanced training on attachment or specific training as identified in PPDP</td> <td data-bbox="1765 1098 1989 1193">Yes</td> </tr> <tr> <td data-bbox="600 1193 1048 1257">What will happen to £25.00 payment on completion of TSDS</td> <td data-bbox="1048 1193 1765 1257">This will remain</td> <td data-bbox="1765 1193 1989 1257">Yes</td> </tr> <tr> <td data-bbox="600 1257 1048 1380">If a permanently placed child requires enhanced payments and we do not wish to progress what will happen to the payments</td> <td data-bbox="1048 1257 1765 1380">As in the transition arrangements, whilst ever the child meets the threshold for payments you will continue to receive them for this child but will not be eligible for level three payments for any future placement</td> <td data-bbox="1765 1257 1989 1380">Yes</td> </tr> </tbody> </table>	Issue	Resolution	Satisfaction with response	Progression via NVQ (now QTS) requires amendment as this route is currently unavailable	Progression qualification will be amended to include completion of core training and advanced training on attachment or specific training as identified in PPDP	Yes	What will happen to £25.00 payment on completion of TSDS	This will remain	Yes	If a permanently placed child requires enhanced payments and we do not wish to progress what will happen to the payments	As in the transition arrangements, whilst ever the child meets the threshold for payments you will continue to receive them for this child but will not be eligible for level three payments for any future placement	Yes
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		If you already have an NVQ will you have to complete the portfolio	Yes as the requirements of level three are more than evidence of training but the skill set evidenced in the NVQ can be passported	Yes
		Do you need to have fostered for 2 years before being able to progress?	No: as a result of this consultation we will remove this requirement – providing all requirements can be evidenced any foster carer can progress. We will expect that carers will though have completed their TSDS	Yes
		Can carers who work be eligible for level 3	Yes: provided one carer is available at all times	Yes
		What does 'go the extra mile' mean – how can you be subjective about this?	It is difficult to quantify but a concept we all understand. We will provide further guidance within the progression portfolio	Yes
		If a level 2 carer is asked to provide respite for a challenging child will they get level 3 payments	Yes: subject to individual agreement. The proposal includes an ability to make temporary additional payments to level 2 carers in exceptional cases	Yes
		<p><u>Ethnicity</u> The foster carer progression scheme applies to all foster carers irrespective of ethnicity. No foster carers raised ethnicity as an issue during the consultation.</p> <p><u>Gender</u> The foster carer progression scheme applies to all foster carers irrespective of gender. No foster carers raised gender as an issue during the consultation.</p> <p><u>Age</u> The foster carer progression scheme applies to all foster carers irrespective of age. No foster carers raised age as an issue during the consultation.</p>		
<b>6</b>	<b>Decision Making</b>	Monthly meetings have been held between senior representative from both DCST and DMBC, chaired by the Chief Operation Officer (DCST); reports have been presented to appropriate bodies in both organisations; and the proposed introduction of a foster carer progression scheme has been subject to full financial scrutiny. Furthermore, extensive discussions have been held with representatives of the Doncaster Foster Carer Association (an independent organisation that represents the interests of Doncaster foster carers).The final decision in regard to the introduction of a foster carer progression scheme will be taken by Cabinet, DMBC.		
<b>7</b>	<b>Monitoring and</b>	This work has been monitored and kept under review by the Chief Operation Officer, DCST and the Head of Service for LAC Provider Services who are responsible for ensuring compliance and equality.		

	<p><b>Review</b></p>	<p><b>Review of approval</b>  The foster carer review will consider whether the foster carer should remain at their level, progress to the next level or revert to a lower level.</p> <p>It is not expected that many foster carers will revert to lower levels but some may choose to do so. Expectations at level three will be high and some carers may decide to revert to level 2 and take less challenging placements. Foster carers who continue to meet expectations within their level will remain on that level.</p> <p><b>Interim arrangements</b>  All enhancements will be reviewed over a 6 month period.</p>
8	<p><b>Sign off and approval for publication</b></p>	<p>Sue May, Head of Service for LAC Provider Services</p>

# **EQUALITY, DIVERSITY AND INCLUSION**

## **DONCASTER CHILDREN'S SERVICES TRUST**

### **Due Regard Statement**

### **Special Guardianship Order / Child Arrangement Order Allowances**

A **Due Regard Statement** (DRS) is the tool for capturing the evidence to demonstrate that due regard has been shown when the council plans and delivers its functions. A Due Regard Statement must be completed for all programmes, projects and changes to service delivery.

- A DRS should be initiated at the beginning of the programme, project or change to inform project planning
- The DRS runs adjacent to the programme, project or change and is reviewed and completed at the relevant points
- Any reports produced needs to reference "Due Regard" in the main body of the report and the DRS should be attached as an appendix
- The DRS cannot be fully completed until the programme, project or change is delivered.

<p><b>1 Name of the ‘policy’ and briefly describe the activity being considered including aims and expected outcomes. This will help to determine how relevant the ‘policy’ is to equality.</b></p>	<p>Outcomes for children are improved through securing a permanence placement outside the care system whereby direct carers can exercise parental responsibility and make appropriate decisions. Where children cannot safely return to their parents but maintain some sense of family contact or identity, a SGO/CAO is an appropriate means of securing their permanence within an appropriate alternative family. Typically this is either an extended family member; other connected person or their foster carer. Regulatory requirements relating to SGO/CAO/RO allowances have been subject to review. The review identified the regulatory parameters for payment of allowances:</p> <ul style="list-style-type: none"><li>• SGO/CAO Allowances must be offered to all carers of children on an SGO/CAO where the child has been placed with the carers as a direct alternative to placement in the care of the Local Authority. Please note this is a regulatory requirement on the Local Authority although in practice in Doncaster the provision is managed through the Trust.</li><li>• SGO/CAO/RO payments may be subject to financial assessment (means test) but financial payments for foster carers who subsequently take out an SGO/CAO are not subject to financial assessment for two years</li><li>• Allowances must be linked to locally agreed foster care payments. Foster carers cannot receive child benefit or child family tax credit. Carers of children on an SGO/CAO/RO can and therefore payments may take child benefit and child family tax credit into account and be reduced accordingly.</li><li>• Fostering services (England) Regulations 2011 clearly state that family members and other connected people caring for children on an SGO/CAO/RO must not be subject to discrimination and payments therefore must be made at the same rates as other carers, subject to meeting thresholds for progression allowances.</li><li>• SGO/CAO/RO allowances do not have to be paid to family members or other connected people caring for a child where the placement was agreed between family members and was not instigated by a social worker as a direct alternative to care. All carers for children who are not the birth parents are however eligible to apply for assessment as a child in need and may receive one off or ongoing financial support under S17 of the Children Act 1989 as part of the assessment.</li></ul>
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Allowances are currently paid to all families in receipt of SGO/CAO/RO allowances at the Doncaster Children's Services Trust foster care rate. This meets regulatory requirements. The review has however identified that payments under certain circumstances could be reduced without detriment to children and in some cases should be raised to encourage those foster carers who are caring for the most complex and challenging of children to apply for an SGO. Where the plan for the child is permanence with an existing foster carer; SGO is the preferred option as this allows the carer to make most decisions in respect of the child and promotes a greater sense of family identity. Some foster carers who care for more complex children are unable to work and require a guarantee of enhanced financial support to ensure they are able to provide on-going care to meet the identified needs of the child. An enhanced package enables foster carers to make this commitment. Child Arrangement Orders (CAOs) are orders which set out where a child should live. They also give the holder some aspects of parental responsibility although the extent of this is more limited than for holders of SGOs.

Three possible options have been identified

1. Do nothing.  
The service currently complies with regulation and we are therefore not required to make changes to the current system other than instigate an annual payment review process. As outlined above however, payments under certain circumstances could be reduced without detriment to children and in some cases should be raised to encourage those foster carers who are caring for the most complex and challenging of children to apply for an SGO. This option brings no cost saving other than savings made through more stringent financial review.
2. Amend foster care allowances in line with the foster care progression scheme paper and make payments to carers who have not undertaken basic training at level one (the fostering national minimum rates).

Currently the majority of SGO/CAO/RO payments are made to family members of children who would otherwise have come into care. The majority of family members have not undertaken basic training and do not therefore meet all fostering regulatory requirements. These carers would be paid at level one fostering rates which are set at the national

		<p>minimum allowance rate. All carers for children subject to an SGO/CAO/RO would be entitled to undertake training and receive higher level allowances.</p> <p>3. Amend foster carer allowances in line with the foster carer progression scheme paper and allow SGO/CAO/RO payments to be made at level one, two and three dependent on the complexity of needs of the child.</p> <p>This would allow payments to be made:</p> <ul style="list-style-type: none"> <li>• At level one (typically to carers who do not meet fostering thresholds and have not undertaken training as above)</li> <li>• At level 2 (carers who meet fostering thresholds and have undertaken training)</li> <li>• At level 3 (typically ex-foster carers who are caring for the most complex of children and who require an enhanced package in order to be able to consider applying for an SGO in respect of a child in their care)</li> </ul>
2	<b>Service area responsible for completing this statement.</b>	LAC Provider Services, Doncaster Children’s Services Trust
3	<b>Summary of the information considered across the protected groups.</b>  <b>Service users/residents</b>	<p>The review has been monitored across all equality dimensions. From the information that has been provided by allowance recipients:</p> <p><u>Ethnicity</u> White British = 96, Caribbean = 3, Other = 1</p> <p><u>Gender</u> 208 lead carers are female, and 21 are male</p> <p><u>Age</u> 25-40 years = 42, 41-60 years = 139, 61+ years = 35</p> <p><u>Disability</u> There are no carers in receipt of SGO, RO, or CAO who have a recorded disability</p>
4	<b>Summary of the consultation/engagement activities</b>	This review will involve some reduction in payment for some carers and a detailed consultation programme will be developed to ensure all have an opportunity to understand the proposals and share their views

		<p>Consultation was undertaken with all carers of children under a SGO, CAO, RO and AA who receive an allowance from DMBC / DCST, and was through:</p> <ul style="list-style-type: none"> <li>• A detailed letter to all current recipients of an allowance with a range of possible response methods, including; <ul style="list-style-type: none"> <li>○ Postal response;</li> <li>○ on-line response via survey monkey; and</li> <li>○ telephone help-line</li> </ul> </li> </ul> <p>In addition, carers were also provided further opportunity through:</p> <ul style="list-style-type: none"> <li>• invitation to a number of discussion forums; and</li> <li>• an opportunity to meet the Head of Service on a one to one basis.</li> </ul>												
5	<p><b>Real Consideration:</b></p> <p><b>Summary of what the evidence shows and how has it been used</b></p>	<p>A letter detailing proposed changes was sent to all carers (253 in total) who are in receipt of Special Guardianship, Residence order and Child Arrangement Order allowances, inviting feedback to the proposals through a variety of methods:</p> <ol style="list-style-type: none"> <li>a. Postal response – 29 responses</li> <li>b. On-line (via Survey Monkey) – 14 responses</li> <li>c. Telephone – 4 calls</li> <li>d. Group sessions <table data-bbox="952 938 1753 1082" style="margin-left: 20px;"> <tr> <td>Adwick Leisure Centre</td> <td>-</td> <td>1 allowance recipient</td> </tr> <tr> <td>Martinwells Centre</td> <td>-</td> <td>4 allowance recipients</td> </tr> <tr> <td>Vermuyden Centre</td> <td>-</td> <td>3 allowance recipients</td> </tr> <tr> <td>Civic Offices</td> <td>-</td> <td>3 allowance recipients</td> </tr> </table> </li> <li>e. Individual face-to-face meeting - 7 allowance recipients</li> </ol> <p><u>Summary of Findings</u></p> <ul style="list-style-type: none"> <li>• Baseline payments based on the minimum allowance 65% of postal and on-line respondents agreed that baseline payments should be based on the national minimum allowance. Few respondents cited reasons for disagreeing with the proposal but those that did generally felt that payments should be the same for all carers, and that the payment reflected what was needed for the child.</li> </ul>	Adwick Leisure Centre	-	1 allowance recipient	Martinwells Centre	-	4 allowance recipients	Vermuyden Centre	-	3 allowance recipients	Civic Offices	-	3 allowance recipients
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- Basic skills development course for additional allowance and interest in undertaking training  
65% of postal and on-line respondents agreed that carers should undertake a basic skills development course for an additional allowance. Few respondents cited reasons for disagreeing with the proposal but those that did generally felt that they have been looking after children for a period of time and did not see the relevance of training whilst others..  
Similarly 64% of postal and on-line respondents indicated interest in undertaking training. Those respondents who did disagree cited the same reason in that they felt they were experienced already, although some did feel that they were too old to engage with training  
In direct discussions, carers did have questions regarding the relevance of training or concerns regarding what the training would entail but following explanation were overwhelmingly in favour.
- Enhanced payments for carers of children with complex needs who have additional skills  
86% of postal and on-line respondents agreed that there should be enhanced payments for carers of children with complex needs who have additional professional skills.
- Review of means test  
63% of postal and on-line respondents agreed with proposals to review the means test. Respondents who disagreed generally felt that the allowance was for the benefit of the child and should not be subject to means testing, whilst others challenged specific inclusion and exclusion criteria.  
Based on concerns raised by pensioners around the proposal to limit household expenditure used in the means test, a review of the allowances used to calculate Core Regular Family Expenditure has taken place. This has resulted in a higher allowance being made in the means test for carers/partners of state pension age which better aligns the means test with other pensioner benefits.  
In direct discussions, carers generally wanted further information regarding their individual situation as they were apprehensive regarding the potential impact on their financial circumstances.

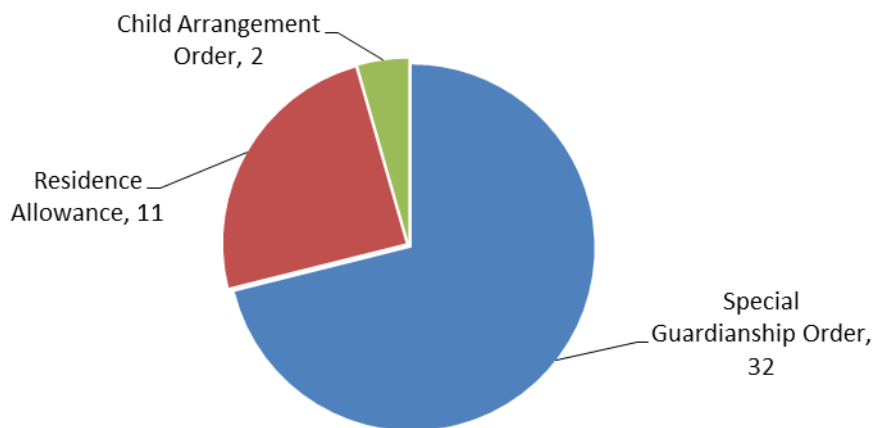


		<p><u>Ethnicity</u> All recipients are subject to the same means test, and there are no dimensions detailed within the means test that have potential to discriminate against people from a BME background. Furthermore, no respondents raised ethnicity as an issue within the consultation.</p> <p><u>Gender</u> It is recognised nationally that women on average have lower income than men. However, the means test ensures that those carers who are on lower incomes are provided with a higher level of allowance in order to mitigate any potential disadvantage from lower wage income.</p> <p><u>Age</u> Only one consultation respondent indicated that they were unwilling to undertake training as they were over 65 and felt that they had sufficient life and parenting experience. Assurances have been given that any carer who is willing to undertake training but feel that they require additional support to access training, will be given the necessary support.</p> <p>Caring for a child subject to an SGO requires additional parenting skills and often requires management of complex family interactions. When this rationale has been explained to carers, all but one carer expressed positive views of the training offer.</p>
6	<b>Decision Making</b>	Monthly meetings have been held between senior representative from both DCST and DMBC, chaired by the Chief Operation Officer (DCST); reports have been presented to appropriate bodies in both organisations; and proposed changes to assessment criteria have been subject to full financial scrutiny. The final decision in regard to the application of a revised allowance scheme will be taken by Cabinet, DMBC
7	<b>Monitoring and Review</b>	This work has been monitored and kept under review by the Chief Operation Officer, DCST and the Head of Service for LAC Provider Services who are responsible for ensuring compliance and equality. Monitoring of implementation of the revised allowance scheme has been built into the proposed timeline. Regular meeting will be held over the course of the next 12 months to ensure that any potential issues are dealt with fairly and in strict accordance with agreed policy and procedure.
8	<b>Sign off and approval for publication</b>	Sue May, Head of Service for LAC Provider Services

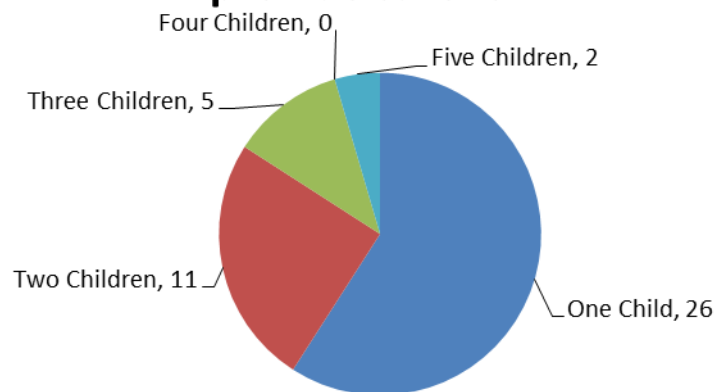
**Outcome of Special Guardianship Order, Residence Order and Child Arrangement Order Base Rate and Top-Up Allowances Consultation**

Outcome of postal and on-line responses

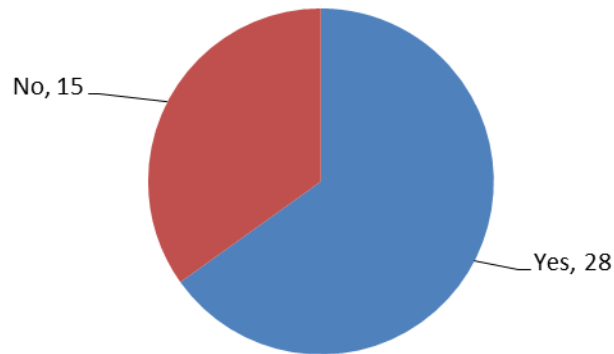
**Q1 What allowance are you receiving?**



**Q2 How many children do you currently provide care for?**



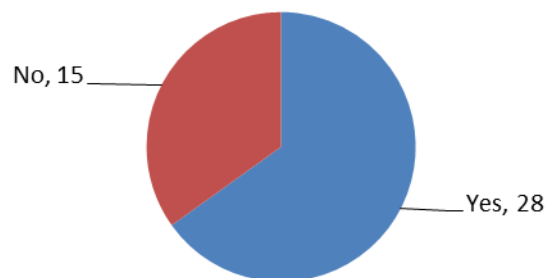
### Q3 Should baseline payments be based on national minimum allowance?



Comment:

- Respondents generally agreed with the proposal, emphasising that people should be treated fairly, and that quality of life for children is maintained

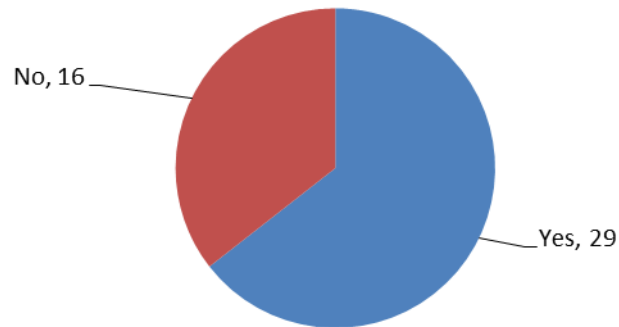
### Q4 Should carers undertake a basic skills development course for additional allowance?



Comment:

- Respondents generally felt that carers would benefit from these types of courses, especially younger carers, although some older carers questioned the need given their own parenting experience.

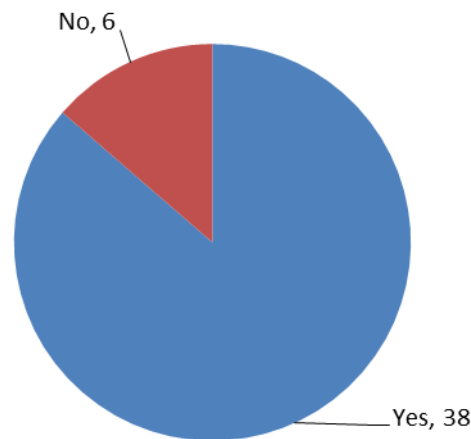
### Q5 Would you be interested in undertaking training?



Comments:

- Respondents were generally interested in undertaking training to get more qualifications & experience, and that such training would benefit the child.

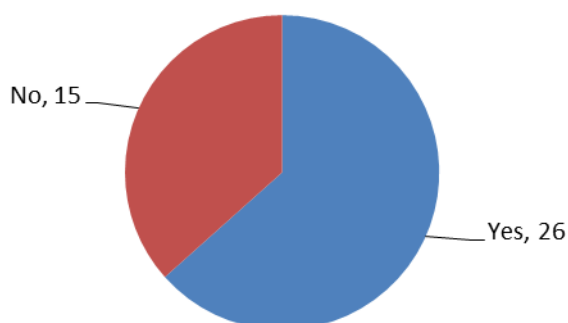
### Q6 Should there be enhanced payments for carers of children with complex needs of who have additional professional skills?



Comment:

- Carers were overwhelmingly in favour as it was felt that some carers have a 'great deal to contend with', sometimes with increased costs, and so should be compensated.

## Q7 - Do you agree with proposals to review the means test?



Comment:

- Carers were generally in favour with proposals to review the means test, although others felt that the allowance should not be means tested as it is for the benefit of the child

## Q8 – Are there any further comments you wish to make on these proposals?

- Additional comments were received generally repeating feelings in regard to additional training requirements for older people with experience of parenting, and feeling in regard to penalising people who work

### Outcome of telephone feedback

The four telephone queries principally related to how the proposed changes were going to affect the individual carers, rather than specific challenge to the proposals:

	<b>Concern</b>	<b>Response</b>
1	When letter received carer rang payments as felt was being under paid. No concerns regarding the consultation	Query being investigated.
2	Did the training 18 months ago. Do I have to do it again?	Explained that training is in alignment with the proposed levels. Carer appeared to be agreeable to approach and feels that training is good
3	Has a new partner that pays maintenance for his children. Would his wage be classed as income and could the maintenance be considered as an out going?	Explained that his wages would be classed as income. However, the amount he pays in maintenance would not be included
4	Feels that the consultation doesn't care about the children. When carer applied for Order, carer went through the full foster carer process / training and was technically registered as a foster carer. Why do I need to go through the training? Also the children being cared for has learning difficulties and have been 'statemented' - so why not paid more?	Explained that training in line with the proposed levels and that it is not retraining to care for the children rather that it is to ensure that carers have the right information and support provided to them. Explained that SGO carers get additional allowances for additional needs. Carer appeared reassured.

Following explanation of the rationale and how these changes would be implemented, there were no unresolved issues or challenges that require further attention.

### Outcome of Group Sessions

	<b>Concern</b>	<b>Response</b>
1	Only concern was training	Once training explained carer appeared content
2	Did not feel they should have to retrain, and that they should not be put on level 1	Carer appeared content once training explained
3	No concerns or questions. Thinks training is a good thing for all carers	
4	Wanted more information. Would benefit from the training, and was happy with the consultation process. Allowances being received different to those stated in letter, and cannot recall having a financial assessment	Query being investigated
5	Doesn't feel carers should get less money or have to do training when the Courts agreed they were good enough to provide care.	Explained training and carer appeared content.
6	Has been a foster carer and has just taken an SGO. Wants as much training as possible. Feels it is essential to do the best for the children. Would the training be mixed with other carers or SGO's? Would we be setting up a SGO support group? Positive about proposals.	Explained that training would probably be delivered separately to start with, but this may be reviewed. SGO support group could be considered if the carers wanted it
7	Quite angry regarding the whole process. Has paid off mortgage to have a better life for Young Person in their care. Does not think they should have to do training or to drop money	One to one book meeting arranged to discuss individual concerns.
8	Feels it's all about money. Carer already going to lose money with the Benefit Cap. Why should carer be further penalised?	Explained process, but still felt that they should not lose money
9	<p>Have social workers been engaged in the consultation?</p> <p>In regard to means testing felt that water should be included as an allowance, and also that currently not taxed on war and disability allowance, so why should this be included?</p> <p>Previously rented their house out and had to move back into it to accommodate children and so has lost £600 a week.</p> <p>Carer's 3-year old only receives 15 hours childcare each week and that carer is being financially penalised as needs more support in order to work.</p> <p>Further issues raised that were specific to this particular carer which were not directly related to the consultation proposals</p>	<p>Explained that people with a social worker qualification have been part of the consultation process</p> <p>Explained that war and disability allowance would have to be counted as income</p> <p>Explained that 15 hours is the required education entitlement and that if further childcare was necessary due to work commitments, then it would then be taken into account as part of the means test</p>
10	Concerns to be detailed in written response	

## Outcome of Face-to-Face meetings

	<b>Concern</b>	<b>Response</b>
1	<p>Is their money going to go down?</p> <p>No issues with training as such, although potential issue attending training</p> <p>Earnings have gone down since when they received SGO. Apprehensive about having reassessment</p> <p>Why are we using a model that hasn't been updated since 2005?</p>	<p>Explained the levels and carer understood that that the allowance would be dependent upon whether they opted for level one, and the outcome of the means test.</p> <p>Explained flexibility of training and that husband and wife can do it together for support. Carer reassured and feels that training is good</p> <p>Explained means test</p> <p>Explained that if having a reassessment now, it would be done on current level. Carer thought they would wait until outcome of consultation decision and not have a review now. Only model available.</p>
2	<p>They don't get the payment that is detailed on the letter, and never had a means test. Carer feels that we should not look into their private lives and finances. It's none of our business. They have paid their mortgage off so they are going to be worse off. Why should they lose out? They are not doing qualifications to care for their child and they are not providing us with their information.</p> <p>(Other issues raised that were unrelated to consultation proposals that will receive service attention)</p>	<p>Service to investigate to see whether carers have had a means test. Need to look at what they currently receive to assess if the means test will dramatically impact on this.</p> <p>Assured that this is just a consultation and has not yet been agreed. Explained that training is neither retraining nor a professional qualification – rather it provides valuable information that all parents need including safeguarding, paediatric health and attachment. Explained that any relevant up to date training carer has already attended could be accepted as training for level 2. Carers appeared reassured with explanation regarding training. Training is doable and they are interested.</p>
3	<p>Have not undertaken training before and wanted to know more as interested - Glad to have an opportunity to train</p> <p>Finished work to carer for nephew, and currently on Disability allowance and carers allowance</p> <p>Enquired about level 3 payments as carer felt their child has complex needs</p> <p>Otherwise no major concerns</p>	<p>Explained training.</p> <p>Explained means test.</p> <p>Explained that level 3 would be a professional qualification and was applicable for carers with children with severe needs.</p>

4	<p>Too much information in the letter, and worried that children would be removed.</p> <p>Currently receiving income support, housing benefit and council tax support.</p>	<p>Carer misunderstood letter and thought reassessment meant they could lose the children. Explained the letter and the consultation process.</p> <p>Explained means test and 'passported' benefits. As on income support carer would not be means tested, and that carers allowance would remain at it is with proof of benefits</p>
5	<p>Carer had fostered child first – child has special needs and carer feels that they should have been paid more when fostering for this child.</p> <p>Understands mean test and training. Happy with that. On income support, disability allowance and other benefits.</p>	<p>Explained that carer would not be entitled to any additional allowances for child, as the carer is a grandparent - so would just get basic rate in line with children's ages. However, if carer is being under-paid then it is a priority to ensure on the right level, and that a full break-down of entitlement is provided</p> <p>Explained 'passported' benefits and that a means test would not be required if proof of benefits established. However, in this instance one would be required to ascertain whether carer had been underpaid. Means test to be sent to carer.</p> <p>Explained training and carer was agreeable.</p> <p>Service to remain in contact with carer until situation resolved.</p>
6	<p>Carer had split from partner since SGO, and concerned that not paid correctly</p>	<p>From discussions it appeared that carer still being paid at the rate when they had a working partner. Being investigated. Explained training and means test.</p>
7	<p>Concerns about what the training entailed. Carer felt that they will need support to do the online training and is also very anxious about the 'classroom' training as carer feels very anxious amongst a lot of people. Main concerns relate to proposals to limit the household expenses taken into account to just mortgage costs and rent/council tax. Carer's current assessment includes additional expenses for buildings/contents insurance, water rates and life insurance – and carer feels they will be adversely affected if the changes go through.</p>	<p>Explained that maybe their partner could attend with them. The carer appeared happy once training had been explained.</p> <p>Explained that the base rate for their child will increase from April next year when the child is in a higher allowance band, which will minimise any potential impact.</p> <p>Carer appeared much happier after the meeting but requested their local Councillor detail – which has since been sent together with a copy of the Means Test guidance.</p>



## Outcome of Foster Carer Progression Scheme Consultation

Foster carers were overwhelmingly positive about the proposals. No concerns were raised following individual discussions

The following issues were raised in the foster care forum:

Issue	Resolution	Satisfaction with response
Progression via NVQ (now QTS) requires amendment as this route is currently unavailable	Progression qualification will be amended to include completion of core training and advanced training on attachment or specific training as identified in PPDP	Yes
What will happen to £25.00 payment on completion of TSDS	This will remain	Yes
If a permanently placed child requires enhanced payments and we do not wish to progress what will happen to the payments	As in the transition arrangements, whilst ever the child meets the threshold for payments you will continue to receive them for this child but will not be eligible for level three payments for any future placement	Yes
If you already have an NVQ will you have to complete the portfolio	Yes as the requirements of level three are more than evidence of training but the skill set evidenced in the NVQ can be passported	Yes
Do you need to have fostered for 2 years before being able to progress?	No: as a result of this consultation we will remove this requirement – providing all requirements can be evidenced any foster carer can progress. We will expect that carers will though have completed their TSDS	Yes
Can carers who work be eligible for level 3	Yes: provided one carer is available at all times	Yes
What does 'go the extra mile' mean – how can you be subjective about this?	It is difficult to quantify but a concept we all understand. We will provide further guidance within the progression portfolio	Yes
If a level 2 carer is asked to provide respite for a challenging child will they get level 3 payments	Yes: subject to individual agreement. The proposal includes an ability to make temporary additional payments to level 2 carers in exceptional cases	Yes